

# House File 2349 - Introduced

HOUSE FILE \_\_\_\_\_  
BY ABDUL-SAMAD

Passed House, Date \_\_\_\_\_ Passed Senate, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

## A BILL FOR

1 An Act relating to the use of certain wireless communication  
2 devices by motor vehicle operators and providing penalties.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:  
4 TLSB 6038HH 82  
5 dea/nh/5

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1 1 Section 1. NEW SECTION. 321.363A USE OF WIRELESS  
1 2 COMMUNICATION DEVICES RESTRICTED.  
1 3 1. A person shall not operate or use a cellular telephone  
1 4 or other wireless communication device while operating a motor  
1 5 vehicle on a highway unless the person uses a headset or  
1 6 hands-free adapter to operate or use the telephone or  
1 7 communication device.  
1 8 2. This section does not apply to the use of a handheld  
1 9 cellular telephone or other handheld wireless communication  
1 10 device to call 911 or to contact law enforcement authorities  
1 11 or an emergency response agency in an emergency situation.  
1 12 3. This section does not apply when the motor vehicle is  
1 13 at a complete stop off the roadway.  
1 14 4. A person who violates this section commits a simple  
1 15 misdemeanor, punishable as a scheduled violation under section  
1 16 805.8A, subsection 6, paragraph "e".  
1 17 Sec. 2. Section 805.8A, subsection 6, Code 2007, is  
1 18 amended by adding the following new paragraph:  
1 19 NEW PARAGRAPH. e. For violations under section 321.363A,  
1 20 the scheduled fines are as follows:  
1 21 (1) If the violation is a first offense, the scheduled  
1 22 fine is twenty-five dollars.  
1 23 (2) If the violation is a second or subsequent offense  
1 24 committed within one year of the first offense, the scheduled  
1 25 fine is fifty dollars.

### EXPLANATION

1 27 This bill prohibits the driver of a motor vehicle from  
1 28 operating or using a cellular telephone or other wireless  
1 29 communication device without using a headset or hands-free  
1 30 adapter while operating a motor vehicle on a highway. An  
1 31 exception is allowed for emergency situations when the use of  
1 32 a handheld phone or device is to call 911 or contact law  
1 33 enforcement authorities or an emergency response agency. In  
1 34 addition, the bill does not prohibit a driver from using any  
1 35 cellular telephone or other wireless communication device when  
2 1 the motor vehicle is at a complete stop off the roadway.  
2 2 The bill establishes a scheduled fine of \$25 as the penalty  
2 3 for a violation. However, if the person commits a second or  
2 4 subsequent violation within one year, the scheduled fine is  
2 5 \$50.  
2 6 LSB 6038HH 82  
2 7 dea/nh/5.1